

**AMENDED MEETING MINUTES
UTAH CLINICAL MENTAL HEALTH COUNSELOR LICENSING BOARD**

**MAY 10, 2023
HEBER M. WELLS BLDG.
ROOM 402 AND GOOGLE MEET -9:00 AM
SALT LAKE CITY, UT 84114**

CONVENED: 9:01 AM ADJOURNED: 1:08 PM

Bureau Manager: Jana Johansen
Board Secretary: Katie Corak

BOARD MEMBERS PRESENT:

Katherine Brown, Ph.D, *Chairperson*
Kenneth Roach, Ed.D.
Philip Brueck
Naomi Spencer
Abigail Crouse, Ph.D *Vice Chair*

GUESTS:

Donald Best	Jeffery Stewart	Robert Hjorth	Jessica Black, UMHCA
Kathleen Tinker	Michelle Cole	Janae Peterson	Bret Dorsett
Alan Spendlove	Jeremy Harrison	Julie Berg	Jim Macedone, UMHCA

DOPL STAFF PRESENT:

Jenny Johnson, Compliance Specialist

ADMINISTRATIVE BUSINESS: (0:02:10)

APPROVAL OF THE MARCH 15, 2023, MEETING MINUTES

Mr. Brueck made a motion to approve the March 15, 2023 minutes as written. Ms. Spencer seconded the motion. The motion passed unanimously.

COMPLIANCE REPORT – JENNY JOHNSON

Ms. Johnson reviewed the compliance report with the Board at the beginning of each probationer interview. Ms. Johnson answered questions from the Board about individuals in her compliance report during their interview.

INTERVIEWS:

KATHLEEN TINKER, EXTENSION REQUEST (0:03:10)

MS. TINKER ATTENDED HER APPOINTMENT WITH THE BOARD TO REQUEST AN EXTENSION OF THEIR ACMHC EXTERN LICENSE. MS. TINKER ANSWERED QUESTIONS FROM THE BOARD REGARDING THEIR PROGRESS MOVING TO THE ACMHC LICENSE. MS. TINKER NEEDS TO TAKE ONE MORE COURSE (SUBSTANCE ABUSE AND ADDICTIVE DISORDERS) PRIOR TO OBTAINING THE

ACMHC LICENSE STARTING THEIR SUPERVISED HOURS. DR. ROACH MADE A MOTION TO EXTEND MS. TINKER'S EXTERN LICENSE FOR 1 YEAR. MR. BRUECK SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY. THE BOARD DETERMINED THEY WILL SET A PRECEDENT OF EXTENDING EXTERN LICENSES FOR 1 YEAR WHEN SIMILAR REQUESTS ARE MADE.

JANAE PETERSON – PROBATION REVIEW (0:17:24; 0:55:48)

MS. PETERSON ATTENDED HER APPOINTMENT WITH THE BOARD. MS. JOHNSON PROVIDED THE BOARD WITH A COMPLIANCE REPORT FOR MS. PETERSON. MS. PETERSON HAS ALSO SUBMITTED A REQUEST TO THE BOARD TO AMEND HER STIPULATION ADJUSTING THE FREQUENCY THAT SHE MEETS WITH HER SUPERVISOR FROM WEEKLY TO BI-WEEKLY. DR. ROACH, MS. PETERSON'S SUPERVISOR, AGREED THAT MOVING TO BI-WEEKLY MEETINGS IS APPROPRIATE AT THIS TIME.

MS. SPENCER MADE A MOTION THAT MS. PETERSON IS IN COMPLIANCE WITH HER PROBATION. MR. BRUECK SECONDED THE MOTION. PASSED 4-1 WITH DR. ROACH ABSTAINING BECAUSE HE IS MS. PETERSON'S SUPERVISOR.

MS. SPENCER MADE A MOTION TO AMEND MS. PETERSON'S STIPULATION TO ADJUST HER SUPERVISION MEETING REQUIREMENTS FROM WEEKLY TO EVERY OTHER WEEK BEGINNING IN JULY 2023. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED 4-1 WITH DR. ROACH ABSTAINING BECAUSE HE IS MS. PETERSON'S SUPERVISOR.

MS. SPENCER MADE A MOTION THAT MS. PETERSON SHALL ATTEND THE SEPTEMBER 2023 BOARD MEETING FOR A PROBATION REVIEW. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED 4-1 WITH DR. ROACH ABSTAINING BECAUSE HE IS MS. PETERSON'S SUPERVISOR.

JEFFERY STEWART – PROBATION REVIEW (0:26:32; 0:52:28)

MR. STEWART ATTENDED HIS APPOINTMENT WITH THE BOARD. MS. JOHNSON PROVIDED THE BOARD WITH A COMPLIANCE REPORT FOR MR. STEWART.

MS. CROUSE MADE A MOTION THAT MR. STEWART IS IN COMPLIANCE WITH PROBATION AND THAT HE ATTEND THE JULY 12, 2023 BOARD MEETING FOR A PROBATION REVIEW. MS. SPENCER SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

BREAK 9:58AM. END OF FIRST RECORDING.

ROBERT HJORTH – PROBATION REVIEW (0:27:47-1ST RECORDING 0:00:09-2ND RECORDING)

MR. HJORTH ATTENDED HIS APPOINTMENT WITH THE BOARD. MS. JOHNSON PROVIDED THE BOARD WITH A COMPLIANCE REPORT FOR MR. HJORTH. MS. JOHNSON HAS NOT RECEIVED SUPERVISOR REPORTS FOR MARCH AND APRIL FROM MR. HJORTH'S SUPERVISOR. ADDITIONALLY, MS. JOHNSON WAS CONTACTED BY AN LCSW FROM NORTH CAROLINA WHO IDENTIFIED HIMSELF AS MR. HJORTH'S NEW SUPERVISOR. THIS PERSON ALSO SUBMITTED THEIR CV AND SIGNED MOU. THIS PERSON IS ALSO SUPERVISING MR. HJORTH'S SUDC EXPERIENCE AS HE PURSUES THAT LICENSURE IN NORTH CAROLINA. MR. HJORTH EXPLAINED THERE IS A SEPARATION BETWEEN THE SUDC HOURS AND THE MENTAL HEALTH HOURS HIS NEW SUPERVISOR IS OVERSEEING, AND HE IS NOT COUNTING THE SAME HOURS FOR BOTH LICENSES. MR. HJORTH WILL ALSO REACH OUT TO HIS PREVIOUS SUPERVISOR REGARDING THE MISSED EMPLOYER REPORTS FOR MARCH AND APRIL. IF THOSE REPORTS ARE NOT SUBMITTED, MR. HJORTH'S PROBATION MAY BE EXTENDED BY 2 MONTHS BECAUSE WITHOUT DOCUMENTATION FOR THOSE TWO MONTHS PROBATION TIME TOLLS.

MR. BRUECK MADE A MOTION TO APPROVE MR. HJORTH'S NEW SUPERVISOR. DR. ROACH SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

MR. BRUECK MADE A MOTION TO ACCEPT MR. HJORTH'S DHARMA PLAN AND MENTOR. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

MR. BRUECK MADE A MOTION TO WAIT UNTIL JULY TO DETERMINE IF THE TIME FOR MARCH AND APRIL WILL COUNT TOWARDS MR. HJORTH'S PROBATION. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

MR. BRUECK MADE A MOTION THAT MR. HJORTH ATTEND THE JULY 12, 2023 BOARD MEETING. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

REX ALAN SPENDLOVE – PROBATION REVIEW (0:34:35 1ST RECORDING; 0:19:27-2ND RECORDING)

MR. SPENDLOVE ATTENDED HIS APPOINTMENT WITH THE BOARD. MS. JOHNSON PROVIDED A COMPLIANCE UPDATE TO THE BOARD. MR. SPENDLOVE'S SUPERVISOR IS CURRENTLY EXPERIENCING SOME HEALTH ISSUES NOW BUT IS STILL ABLE TO CONTINUE AS MR. SPENDLOVE'S SUPERVISOR AT THIS TIME.

DR. BROWN MADE A MOTION THAT THAT MR. SPENDLOVE IS IN COMPLIANCE WITH PROBATION. MS. SPENCER SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

DR. BROWN MADE A MOTION TO HAVE MR. SPENDLOVE ATTEND THE JULY 12, 2023 BOARD MEETING FOR A PROBATION REVIEW. DR. ROACH SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

JULIE BERG – HISTORY REVIEW (0:34:42-2ND RECORDING)

MS. BERG ATTENDED HER APPOINTMENT WITH THE BOARD. MS. JOHNSON PROVIDED A COMPLIANCE UPDATE TO THE BOARD. MS. BERG HAS JUST SECURED A SUPERVISOR AND BEGAN WORKING ON MAY 1, 2023. MS. BERG EXPERIENCED DIFFICULTY WITH HER FIRST DRUG TEST AND HAS SINCE SWITCHED TESTING FACILITIES.

DR. BROWN MADE A MOTION TO APPROVE MS. BERG'S SUPERVISOR, MICHAEL, AND EVALUATOR PATRICK, AND THAT MS. BERG IS IN COMPLIANCE WITH PROBATION. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

DR. BROWN MADE A MOTION TO REQUIRE MS. BERG ATTEND THE JULY 12, 2023, BOARD MEETING FOR A PROBATION REVIEW. MS. CROUSE SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

DONALD BEST - EXTENSION REQUEST (0:23:54-2ND RECORDING)

MR. BEST ATTENDED HIS APPOINTMENT WITH THE BOARD. MR. BEST ANSWERED QUESTIONS FROM BOARD MEMBERS REGARDING HIS EXTENSION REQUEST FOR HIS ACMHC LICENSE SO HE CAN FINISH TESTING FOR THE FULL CMHC LICENSE.

MS. SPENCER MADE A MOTION TO EXTEND MR. BEST'S AMHC LICENSE UNTIL MAY 5, 2024. DR. ROACH SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

MS. SPENCER REQUESTED MR. BEST ATTEND THE JULY BOARD MEETING TO PROVIDE AN UPDATE ON HIS PROGRESS.

MICHELLE COLE-SUPERVISION (1:23:31-2ND RECORDING)

MS. COLE ATTENDED HER APPOINTMENT WITH THE BOARD. MS. COLE IS AN AMHC AND IS REQUESTING THAT HER SUPERVISOR BE ABLE TO PERFORM THE REQUIRED QUARTERLY SITE VISIT VIRTUALLY BECAUSE MS. COLE RESIDES IN TENNESSEE AND SEES PATIENTS IN UTAH STRICTLY

VIRTUALLY. MS. COLE ANSWERED QUESTIONS FROM DR. ROACH AND OTHER BOARD MEMBERS REGARDING HER REQUEST.

DR. ROACH MADE A MOTION TO APPROVE MS. COLE'S REQUEST FOR A VIRTUAL SUPERVISOR SITE VISIT. DR. BROWN SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

JEREMY HARRISON-EDUCATION REVIEW (1:27:48-2ND RECORDING)
MR. HARRISON ATTENDED HIS APPOINTMENT WITH THE BOARD TO REVIEW HIS EDUCATION FOR THE ACMHC LICENSE. MR. HARRISON HOLDS A DEGREE FROM A NON CACREP ACCREDITED MENTAL HEALTH PROGRAM WITH NO CLINICAL INTERNSHIP REQUIREMENT. MR. HARRISON ATTEMPTED TO CREATE A CLINICAL INTERNSHIP VIA A WORK STUDY THROUGH THE UNIVERSITY HE ATTENDED. HE COMPLETED THAT WORK STUDY AT A DYSLEXIA CENTER FOR CHILDREN, BUT HIS SUPERVISOR WAS NOT A LICENSED MENTAL HEALTH PROFESSIONAL. MR. HARRISON ALSO HAS NON-CLINICAL EXPERIENCE AS A GUIDANCE COUNSELOR AND SUBSTITUTE TEACHER THAT HE IS ATTEMPTING TO COUNT TOWARD THE CLINICAL INTERNSHIP REQUIREMENT. THE BOARD REVIEWED THE CORRESPONDENCE BETWEEN MR HARRISON AND THE DIVISION AS WELL AS UNOFFICIAL TRANSCRIPTS SUBMITTED BY MR. HARRISON. THE BOARD GENERALLY AGREED THAT MR. HARRISON'S EDUCATION IS DEFICIENT, BUT WITHOUT A THOROUGH REVIEW OF OFFICIAL TRANSCRIPTS AND COURSE SYALLBI, THEY ARE NOT SURE OF THE EXACT AMOUNT OF DEFICIENCIES. ADDITIONALLY, THE GENERAL CONSENSUS OF THE BOARD WAS THAT THE CLINICAL INTERNSHIP ENGAGEMENTS WOULD NOT COUNT BECAUSE THEY WERE NOT SUPERVISED BY LICENSED MENTAL HEALTH PROFESSIONALS. HOWEVER, THE BOARD WAS OPEN TO MR. HARRISON OBTAINING AN EXTERN LICENSE IF THEY WERE ABLE TO REVIEW MORE INFORMATION REGARDING THE COURSEWORK COMPLETED BY MR. HARRISON AND DETERMINE THE EXACT COURSE DEFICIENCIES. THIS IS NECESSARY BECAUSE EXTERN LICENSES CAN ONLY BE GRANTED IF THE APPLICANT HAS LESS THAN 12 SEMESTER HOURS LEFT TO COMPLETE. THE BOARD REQUESTED MR. HARRISON SUBMIT ANY ADDITIONAL DOCUMENTATION HE MAY HAVE AND THE BOARD WILL REVIEW IT AND MEET WITH MR. HARRISON AT THE JULY 12, 2023, BOARD MEETING. THIS ITEM WILL BE TABLED UNTIL THE JULY 12, 2023, BOARD MEETING.

DISCUSSION & ACTION ITEMS:

RULE REVISION DISCUSSION (0:47:01-2ND RECORDING; 2:13:33-2ND RECORDING)

MS. JOHANSEN LED THE BOARD THROUGH PROPOSED CHANGES TO THE CLINICAL MENTAL HEALTH COUNSELOR LICENSING ACT RULE R156-60C. MS. JOHANSEN POINTED OUT THAT MANY OF THE ADDITIONS ARE SIMPLY

SECTIONS FROM THE GENERAL MENTAL HEALTH PROFESSIONAL PRACTICE ACT. THE BOARD PROVIDED COMMENTS AND SUGGESTED DIFFERENT WORDING ON SEVERAL DEFINITIONS, INCLUDING THE DEFINITIONS "CLINICAL MENTAL HEALTH THERAPY" AND "CLINICAL MENTAL HEALTH EXPERIENCE". THEY ALSO DISCUSSED THE REASONING BEHIND OTHER DEFINITIONS. THE BOARD DETERMINED TO WAIT TO DISCUSS THE SECTIONS OF THE RULE RELATING TO SUPERVISION BECAUSE THERE ARE MAJOR CHANGES COMING TO SUPERVISION REQUIREMENTS LATER THIS YEAR AS A RESULT OF A REVIEW OF THE LICENSING REQUIREMENTS BY THE OFFICE OF PROFESSIONAL LICENSURE REVIEW. THE BOARD ALSO REVIEWED PROPOSED CHANGES THE UNPROFESSIONAL CONDUCT SECTION AND ENGAGED IN A LENGTHY DISCUSSION ON THE PROVISION RELATED TO ENGAGING IN SEXUAL ACTIVITIES WITH A CLIENT, FORMER CLIENT, CLIENT'S RELATIVE, OR ANOTHER INDIVIDUAL WITH WHOM THE CLIENT MAINTAINS A CLOSE PERSONAL RELATIONSHIP AND WHETHER TO IMPOSE A TIME LIMIT ON WHEN A RELATIONSHIP COULD COMMENCE. ULTIMATELY, THE BOARD WAS ABLE TO DECIDE ON CLARIFYING LANGUAGE RELATED TO CURRENT VS. FORMER CLIENTS AND THEIR CLOSE PERSONAL RELATIONSHIPS. THIS DISCUSSION ITEM WILL BE ONGOING AS MORE INFORMATION ON THE CHANGES TO SUPERVISION BECOME AVAILABLE.

SB 16 TRANSGENDER MEDICAL PROCEDURES (0:41:11-1ST RECORDING)

MS. JESSICA BLACK FROM UMCHA SOUGHT CLARIFICATION FROM THE BOARD REGARDING SENATE BILL 16 RESTRICTING TRANSGENDER HEALTHCARE TO PROVIDERS WITH SPECIFIC A CERTIFICATION THAT WAS PASSED DURING THE LAST LEGISLATIVE SESSION. ORIGINALLY, UMCHA WAS UNDER THE IMPRESSION THIS BILL DID NOT AFFECT MENTAL HEALTH COUNSELORS; HOWEVER, IT HAS COME TO THEIR ATTENTION THAT THE MENTAL HEALTH COUNSELORS MAY NEED THIS SPECIFIC CERTIFICATION. MS. JOHANSEN CLARIFIED THAT MENTAL HEALTH COUNSELORS ONLY NEED THIS CERTIFICATION IF THEY ARE DIAGNOSING SOMEONE WITH GENDER DYSPHORIA. IF THEY ARE ONLY TREATING SOMEONE FOR GENDER DYSPHORIA, THEY DO NOT NEED THE CERTIFICATION. MS. JOHANSEN REPORTED THAT THE CERTIFICATION COURSE IS CURRENTLY BEING BUILT AND WILL BE A 40 HOUR COURSE ALONG WITH A 20 HOUR RE-CERTIFICATION COURSE REQUIRED EVERY TWO YEARS. MS. BLACK EXPRESSED CONCERN WITH THE REQUIRED CERTIFICATION TO DIAGNOSE GENDER DYSPHORIA AND ADVOCATE FOR THEIR CLIENTS. THE BOARD RESPONDED THAT MS. BLACK'S CONCERN IS A LEGAL ISSUE THAT UMCHA WILL NEED TO DISCUSS AND PERHAPS CONSULT AN ATTORNEY ABOUT. ITEM NOTED WITH NO ACTION TAKEN.

ADJOURN:

Motion to adjourn at 1:08 PM

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

7/12/2023

Date Approved

Kenneth Roach

Chairperson, CMHC Licensing Board

7/13/2023

Date Approved

Jana Hansen

Bureau Manager, Division of Professional Licensing